

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>June 2, 2008</u>
NAME OF SERVER <u>DAVID POLAK</u>	TITLE <u>Process Server</u>

Check one box below to indicate appropriate method of service

Served personally upon the third-party defendant. Place where served: Venetian Resort Hotel Casino  
3355 Las Vegas Blvd.  
Las Vegas, Nevada, 89109

Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		<u>\$0.00</u>

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 2, 2008

Date

Signature of Server

22 W 48th Street, Ste 1009 - New York, NY 10036  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## UNITED STATES DISTRICT COURT

Southern

District of

New York

## PLAINTIFF

THE FRANK LLOYD WRIGHT FOUNDATION,  
an Arizona not-for-profit corporation,

## V. DEFENDANT AND THIRD PARTY PLAINTIFF

HAMPTON COURT JEWELERS LTD. d/b/a  
CELLINI FINE JEWELRY,  
a New York domestic business corporation,

THIRD PARTY SUMMONS IN A  
CIVIL ACTION

Case Number: 08 CV 00422 (NRB)

## V. THIRD PARTY DEFENDANT

Bagues-Masriera, S.A.,  
a corporation domiciled in Spain

To: Name and address of Third Party Defendant

Bagues-Masriera, S.A.  
Consell de Cent, 331 pral.  
08007 Barcelona

## YOU ARE HEREBY SUMMONED and required to serve on

## PLAINTIFF'S ATTORNEY (name and address)

Michael G. Goldberg, Esq. (MG-2135)  
Anika Lewis, Esq. (AL-2005)  
PRYOR CASHMAN LLP  
410 Park Avenue  
New York, NY 10022  
Telephone: (212) 421-4100  
Fax: (212) 326-0806

## DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY

(name and address)  
Marvin S. Gittes (MG-6112)  
Timur E. Slonim (TS-0915)  
MINTZ LEVIN COHN FERRIS GLOVSKY  
AND POPEO, P.C.  
666 Third Avenue  
New York, NY 10017  
Telephone: (212) 936-3900  
Fax: (212) 983-5113

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

DATE

APR 03 2008

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<input type="checkbox"/> Served personally upon the third-party defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):  		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____            Date _____  <i>Signature of Server</i></p> <p>_____  <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.